

Housing Rights **ADVOCATE**

Austin Tenants' Council • Issue 72, Winter 2014

Complaints Allege Discrimination Against the Deaf and Hard of Hearing

In January, the Austin Tenants' Council joined the National Fair Housing Alliance and National Association for the Deaf in filing a housing discrimination complaint with the U.S. Department of Housing and Urban Development against Bell Partners, a private real estate company headquartered in Greensboro, NC. In Austin, Bell Partners manages seven properties with more than 1,600 units.

NFHA filed eight additional complaints against major apartment complex owners and management companies as a result of a year long, national investigation. The nine complaints allege a practice of discrimination against the deaf and hard of hearing.

ATC conducted "matched paired testing" of Bell Partners. This means that one hearing tester and one deaf or hard of hearing tester, who were equally qualified financially and seeking the same size apartment with similar move-in dates, in-

quired about the unit availability from the same apartment complex via telephone. The complaint alleges that Bell Partners refused to offer housing to the deaf and hard of hearing or charged them higher prices and provided them with inferior information and services.

"It is very disturbing that the deaf and hard of hearing are being so poorly treated by apartment complex owners in Austin and across the country," said Kathy Stark, ATC executive director. "There is no reason why the deaf and hard of hearing should have to face obstacles like this when attempting to find a place to live."

A series of 12 videos in American Sign Language with English captioning provide legal and practical information related to fair housing and fair lending rights under the federal Fair Housing Act. The videos are available at www.nationalfairhousing.org and www.fairhousingdeafvideos.com.

FH Case Update

In the settled cases reported here, the respondent, unless otherwise noted, denies the allegations of discrimination made by the complainant and the parties have agreed to resolve the case prior to a trial on the merits.

James Williams v. Oak Springs Villas

After applying for but failing to obtain

housing multiple times at Oak Springs Villas, a federally subsidized complex managed by Volunteers of America-Texas, James Williams filed a fair housing complaint alleging discrimination based on race: black and disability. Williams stated that the manager failed to contact him when his name came up on the waiting list; failed to respond to his letter disputing the

FH Training

The Texas Department of Housing & Community Affairs (TDHCA) and U.S. Department of Housing and Urban Development are holding a Fair Housing Accessibility Training Event on May 29, 2014. The training will focus on promoting compliance with the federal Fair Housing Act through education on the design and construction requirements incorporated within it.

The training will focus on a technical overview of the design and construction requirements of the Fair Housing Act including: strategies for design and construction of compliant kitchens and bathrooms, accessible routes, and public and common use areas.

The event is being held at the University of Texas Thompson Conference Center at 2405 Robert Dedman Drive and will begin with registration at 8:00 a.m. and will end at 4:30 p.m. The event is free to the public.

To register or for more information, contact John Ritzu at jritzu@lcmarchitects.com, or by phone (312) 913-1717 extension 228.

Inside:

- 2 — Annuity Supports ATC
- 2 — ATC Welcomes New Coordinator
- 2 — Tenant/Landlord Case Update
- 3 — Articulos en Español

FH Case Update continued on page 2

Annuity Supports Austin Tenants' Council

denial of his application; and promised to hold an apartment for him while a credit issue was in dispute and then rented the apartment to someone else.

The U.S. Department of Housing and Urban Development negotiated a conciliation agreement in which Volunteers of America-Texas agreed to put Williams at the top of the waiting list and rent the next available apartment to him. The Respondent also agreed to waive five months of rent. In March, more than two years after he first applied for housing, Williams moved into his apartment at Oak Springs Villas.

John Franklin v. Wellington Palms

When John Franklin was notified by his apartment management that he could not have a pet dog in his apartment, he became very confused. He had noticed that other non-black residents had dogs and had not been asked to remove them. When he asked the manager why only he had been given notice, her response was, "you're not everybody and I don't care about your kind."

Due to the request to remove the dog and the conversation with his manager, Mr. Franklin filed a fair housing complaint alleging discrimination based on race: black.

After communication with the manager, a conciliation agreement was reached. Wellington Palms agreed to pay Mr. Franklin \$300 in reimbursement for expenses involved with his pet, give him a neutral rental reference, and allow him to continue living in the apartment throughout the remainder of his lease agreement as long as he complied with the rules and regulations.

During this time of reduced funding and increasing needs for assistance. The Austin Tenants' Council would like to thank Jerry Icenogle and family for their generous, ongoing contribution to ATC.

The Austin Tenants' Council would like to express our great appreciation for the support and assistance they have granted over the years. The money provides ATC with resources important to our assisting

clients with tenant-landlord and fair housing issues.

This funding is crucial to the operation of the various programs assisting the Austin area.

To support ATC's mission to educate and promote the enforcement of housing rights in our community, visit www.housing-rights.org and click on "get involved" or call 512-474-7006.

ATC Welcomes New Testing Coordinator

Erika Reed joined ATC's staff in January and will be leading the Fair Housing Testing Program. Ms. Reed was previously a testing coordinator for Fair Housing of Marin and worked on some of the same national projects as ATC. She also has housing counseling experience from the work that she did at Homeward Bound of Marin. Erika is looking for volunteers for

the testing program. If you would like to volunteer, please call her at 512-474-7007, ext. 104 or e-mail her at Erika@housing-rights.org.

The Austin Tenants' Council would like to extend a warm welcome to Erika. We look forward to working with her to ensure that everyone has safe, decent, and fair housing in Central Texas.

Tenant/Landlord Case Update

After meeting with a counselor from the Austin Tenants' Council, Michael Larson believed he had done everything he could to get repairs done in his unit. He had sent a certified letter to the landlord, asking for repairs, and had gotten no response. Mr. Larson then requested to open a repair mediation with ATC, and a counselor sent another certified letter to his manager on his behalf. The counselor also advised Mr. Larson to call the City of Austin Code Compliance.

Upon inspection, Code Compliance cited Villas Del Sol Apartments for several code violations. After receiving the cer-

tified letter sent by the ATC counselor, the manager of Villas Del Sol began mediations to resolve the issue.

In conciliation, Villas Del Sol Apartments agreed to release Mr. Larson from his lease contract, give him one free month of rent, pay him \$500 for moving expenses, and give him a positive rental reference. Mr. Larson releases, waives and discharges any and all claims, which he has or may have regarding his tenancy at Villas Del Sol Apartments.

Anualidad apoya al Consejo de Inquilinos de Austin

Durante estos tiempos de financiamiento reducido y mayor necesidad de asistencia, ATC desea agradecer a Jerry Icenogle y familia por su generosa y continua contribución a ATC.

En el Consejo de Inquilinos de Austin nos gustaría expresar nuestro gran aprecio por el apoyo y asistencia que nos han ofrecido durante años. Los fondos significan para ATC importantes recursos para asistir a

nuestros clientes en temas de inquilinos/ propietarios y vivienda justa.

Este financiamiento es crítico para la operación de los varios programas que asisten al área de Austin.

Para apoyar la misión de ATC de educar y promover el cumplimiento del derecho a vivienda en nuestra comunidad, visite www.housing-rights.org y pulse en "get involved" o llame al (512)474-7006.

ATC da bienvenida a nueva coordinadora de pruebas

Erika Reed se unió al personal de ATC en enero y está encargada del programa de pruebas de Vivienda Justa. Reed fue previamente coordinadora de pruebas de Vivienda Justa en el Condado Marin, y trabajó en algunos de los mismos proyectos nacionales que ATC. Tiene también experiencia en asesoría de viviendas por su trabajo en Homeward Bound de Marin. Erika está buscando

voluntarios para su programa de pruebas. Si le gustaría ser voluntario, lláme (512)474-7007, ext. 104, o envíe e-mail a Erika@housing-rights.org.

El Consejo de Inquilinos de Austin le da una cálida bienvenida a Erika. Estamos entusiasmados por trabajar con ella para asegurar que todos tengan una vivienda segura, decente y justa en Texas central.

Actualización de un caso inquilino/propietario

Después de ver a un consejero de ATC (Consejo de Inquilinos de Austin), Michael Larson pensó que había hecho todo lo que pudo para que se le reparara su unidad. Había enviado carta certificada al administrador pidiéndole la reparación pero no había recibido respuesta. El Sr. Larson pidió después una mediación de ATC para reparación, y el asesor envió otra carta certificada al administrador. El asesor de ATC también aconsejó al Sr. Larson llamar al Código de Cumplimiento de la Ciudad de Austin.

Después de una inspección, Código de

Cumplimiento citó a Apartamentos Villas Del Sol por varias violaciones al código. Después de recibir la carta certificada enviada por el asesor de ATC, el administrador de Villas Del Son comenzó la mediación para resolver el caso.

En conciliación, Apartamentos Villas del Sol aceptó liberar al Sr. Larson de su contrato de renta, le dio un mes de renta gratis y \$500 para la mudanza, y le extendió una referencia de renta positiva. El Sr. Larson renuncia a toda futura denuncia que tiene o podría tener como inquilino de los Apartamentos Villas Del Sol.

Actualización de casos de Vivienda Justa

En el caso resueltos reportados aquí, el demandado, a menos que se indique de otro modo, negó las denuncias de discriminación hechas por el demandante, y las partes acordaron resolver el caso antes de llevarlo a juicio.

James Williams v. Oak Springs Villas

Después de varias veces solicitar pero no lograr obtener una unidad en Oak Springs Villas, un complejo subsidiado a nivel federal y administrado por Voluntarios de América-Texas, James Williams presentó una queja de Vivienda Justa, alegando discriminación en base a su raza negra y su discapacidad. Williams declaró que el administrador no se comunicó con él cuando fue su turno en la lista de espera; no contestó su carta disputando el rechazo a su solicitud; y aunque prometió reservar un apartamento durante la disputa por un tema de crédito, se lo rentó a otra persona.

El Departamento de Vivienda y Desarrollo Urbano de Estados Unidos negoció un acuerdo donde los Voluntarios de América-Texas aceptaron poner a Williams primero en la lista de espera y rentarle el siguiente apartamento libre. El Demandado también aceptó eximir cinco meses de renta. En marzo, más de dos años después de solicitar un apartamento por primera vez, Williams se mudó a una unidad en Oak Springs Villas.

Austin Tenants' Council
1640-B East 2nd Street, Suite 150
Austin, TX 78702

Nonprofit Organization
U.S. Postage Paid
Austin, Texas
Permit No. 1138

RETURN SERVICE REQUESTED

If your agency would like to receive additional copies of this newsletter or if you have any changes to the mailing list, contact Morgan at 512-474-7007 or morgan@housing-rights.org. If you prefer to view our newsletter online, we will gladly remove your name from our mailing list.

This service is certified as a lawyer referral service as required by the State of Texas under Chapter 952, Occupations Code.

Housing Rights Advocate is published quarterly by the Austin Tenants' Council, 1640-B East 2nd Street, Suite 150, Austin, TX 78702. The publication is supported by grants from the City of Austin (CDBG) and the U.S. Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. The publisher is solely responsible for the accuracy of the statements and interpretations contained herein. Such interpretations do not necessarily reflect the views of the government.

The Austin Tenants' Council, as a subrecipient of the City of Austin, is committed to compliance with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act of 1973, as amended. Reasonable modifications and equal access to communications will be provided upon request. Please call 512-474-1961 (voice) or Relay Texas at 1-800-735-2989 (TDD) for assistance. The City does not discriminate on the basis of disability in the admission or access to, or treatment or employment in its programs and activities. Dolores Gonzalez has been designated as the City's Section 504/ADA Coordinator. Her office is located at 505 Barton Springs Road, Suite 600. If you have any questions or complaints regarding your Section 504/ADA rights, please call the Section 504/ADA Coordinator at 974-3256 (voice) or 974-2445 (TTY). This publication is available in alternative formats. Please call 512-474-1961 (voice) or Relay Texas at 1-800-735-2989 (TDD) for assistance.

Fair Housing Program / Programa de Vivienda Justa This program helps any person in the Austin metropolitan area who has been discriminated against in the rental, sale, financing, or appraisal of housing. FHP investigates complaints and coordinates legal services to assist victims of discrimination when their rights under state and federal fair housing laws have been violated. Este programa ayuda a cualquier persona en el area metropolitana de Austin que se ha enfrentado con discriminación en la renta, compra, financiamiento, o evaluación de vivienda. El FHP investiga las quejas y coordina servicios legales para las victimas de discriminación cuando sus derechos están violados bajo las leyes estatales y federales de vivienda justa. Call / llame al 474-7007.

Telephone Counseling / Consejos por Telefono Trained counselors answer tenant-landlord questions and make appropriate referrals. However, ATC offers no legal advice. Consejeros contestan preguntas acerca de inquilinos-propietarios y hacen referencias necesarias. Sin embargo, ATC no ofrece consejos legales. Call / llame al 474-1961.

In-House Counseling / Consejos en la Oficina Counseling information and materials are provided to clients in need of more in-depth assistance. Se provee información y materiales a los clientes que necesitan mayor información. Call for an appointment / llame para una cita al 474-7007.

Crisis Intervention / Intervencion Crisis Counselors mediate on behalf of tenants to resolve emergencies that threaten their housing. Consejeros median en nombre del inquilino a resolver una emergencia que amenaza su vivienda. Call / llame al 474-1961.

Rental Repair Assistance / Ayuda con Reparaciones en su Vivenda The Renters' Rights Assistance Program helps low-income renters enforce their rights for repairs through advocacy and mediation. El Programa de Asistencia con los Derechos de Inquilinos ayuda a los inquilinos de bajo ingreso da fuerza a sus derechos para reparaciones por medio de negociación y mediación. Call / llame al 474-7007.

Lease Forms / Contratos ATC sells lease packets and brochures describing landlord and tenant rights and responsibilities to landlords for a small fee. ATC vende paquetes de contratos y folletos, por una cuota nominal, describiendo los derechos y las responsabilidades del propietario y del inquilino. Call for more information / llame para mayor información al 474-7007.

Austin Tenants' Council Staff

- Linda AlemanHousing Specialist
- Jose Calderon.....Housing Specialist
- Christine Castilleja Intake Specialist
- Cruz GarciaHousing Specialist
- Andrew JonesHousing Specialist
- Morgan Morrison Fair Housing Program Specialist
- Lucia Perez-Salinas..... Fair Housing Program Specialist
- Nekesha PhoenixFair Housing Program Director
- Nathan Plummer Intake Specialist
- Erica ReedFair Housing Testing Coordinator
- Bruce Rodenborn Technical Support
- Katherine Stark Executive Director
- Christopher SuarezHousing Specialist